

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

THOMAS GADDIS, )  
                        )  
Plaintiff,         )  
                        )  
v.                     ) Case No. 1:22-cv-00996-LCB-SGC  
                        )  
KELLEY JOHNSON, *et al.*, )  
                        )  
Defendants.         )

**MEMORANDUM OPINION**

The magistrate judge entered a report on August 8, 2022, recommending the dismissal of this action without prejudice under the three-strikes provision of 28 U.S.C. § 1915(g). (Doc. 6).<sup>1</sup> The plaintiff has not filed objections, and the time to do so has expired. Additionally, the report and recommendation mailed to the plaintiff at his last known address has been returned to the court as undeliverable. (Doc. 7). A search of the website for the Alabama Department of Corrections indicates the plaintiff has been released from prison.

After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation, the claims in this matter are due to be

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<sup>1</sup> Citations to the record refer to the document and page numbers assigned by the court's CM/ECF electronic document system and appear in the following format: Doc. \_\_ at \_\_.

dismissed without prejudice under 28 U.S.C. § 1915(g).<sup>2</sup>

A final judgment will be entered.

**DONE** and **ORDERED** August 29, 2022.



LILES C. BURKE  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup> Alternatively, because the plaintiff has not provided the court with his new address, this matter is subject to dismissal for failure to prosecute. FED. R. CIV. P. 41(b).